

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. Speaker, this legislation is necessary to ensure that federal employees who are serving overseas can be protected by the American umbrella of justice.

This is a bipartisan bill that was adopted by the Senate by unanimous consent.

I ask that my colleagues join me in supporting this legislation so that the President can sign it into law.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 921.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## CONFIDENTIALITY OPPORTUNITIES FOR PEER SUPPORT COUNSELING ACT

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1502) to make Federal law enforcement officer peer support communications confidential, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1502

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Confidentiality Opportunities for Peer Support Counseling Act” or the “COPS Counseling Act”.

### SEC. 2. CONFIDENTIALITY OF PEER SUPPORT COMMUNICATIONS.

(a) DEFINITIONS.—In this section:

(1) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means a Federal agency that employs a law enforcement officer.

(2) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer” has the meaning given the term “Federal law enforcement officer” in section 115 of title 18, United States Code.

(3) PEER SUPPORT COMMUNICATION.—The term “peer support communication” includes—

(A) an oral or written communication made in the course of a peer support counseling session;

(B) a note or report arising out of a peer support counseling session;

(C) a record of a peer support counseling session; or

(D) with respect to a communication made by a peer support participant in the course of a peer support counseling session, another communication, regarding the first communication, that is made between a peer support specialist and—

(i) another peer support specialist;

(ii) a staff member of a peer support counseling program; or

(iii) a supervisor of the peer support specialist.

(4) PEER SUPPORT COUNSELING PROGRAM.—The term “peer support counseling program” means a program provided by a law enforcement agency that provides counseling serv-

ices from a peer support specialist to a law enforcement officer of the agency.

(5) PEER SUPPORT COUNSELING SESSION.—The term “peer support counseling session” means any counseling formally provided through a peer support counseling program between a peer support specialist and 1 or more law enforcement officers.

(6) PEER SUPPORT PARTICIPANT.—The term “peer support participant” means a law enforcement officer who receives counseling services from a peer support specialist.

(7) PEER SUPPORT SPECIALIST.—The term “peer support specialist” means a law enforcement officer who—

(A) has received training in—

(i) peer support counseling; and

(ii) providing emotional and moral support to law enforcement officers who have been involved in or exposed to an emotionally traumatic experience in the course of employment; and

(B) is designated by a law enforcement agency to provide the services described in subparagraph (A).

(b) PROHIBITION.—Except as provided in subsection (c), a peer support specialist or a peer support participant may not disclose the contents of a peer support communication to an individual who was not a party to the peer support communication.

(c) EXCEPTIONS.—Subsection (b) shall not apply to a peer support communication if—

(1) the peer support communication contains—

(A) an explicit threat of suicide by an individual in which the individual—

(i) shares—

(I) an intent to die by suicide; and

(II) a plan for a suicide attempt or the means by which the individual plans to carry out a suicide attempt; and

(ii) does not solely share that the individual is experiencing suicidal thoughts;

(B) an explicit threat by an individual of imminent and serious physical bodily harm or death to another individual;

(C) information—

(i) relating to the abuse or neglect of—

(I) a child; or

(II) an older or vulnerable individual; or

(ii) that is required by law to be reported; or

(D) an admission of criminal conduct;

(2) the disclosure is permitted by each peer support participant who was a party to, as applicable—

(A) the peer support communication;

(B) the peer support counseling session out of which the peer support communication arose;

(C) the peer support counseling session of which the peer support communication is a record; or

(D) the communication made in the course of a peer support counseling session that the peer support communication is regarding;

(3) a court of competent jurisdiction issues an order or subpoena requiring the disclosure of the peer support communication; or

(4) the peer support communication contains information that is required by law to be disclosed.

(d) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed to prohibit the disclosure of—

(1) an observation made by a law enforcement officer of a peer support participant outside of a peer support counseling session; or

(2) knowledge of a law enforcement officer about a peer support participant not gained from a peer support communication.

(e) DISCLOSURE OF RIGHTS.—Before the initial peer support counseling session of a peer support participant, a peer support specialist shall inform the peer support participant in writing of the confidentiality requirement

under subsection (b) and the exceptions to the requirement under subsection (c).

### SEC. 3. BEST PRACTICES AND SUPPORT.

(a) DEFINITIONS.—In this section:

(1) FIRST RESPONDER.—The term “first responder” has the meaning given the term “public safety officer” in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284).

(2) FIRST RESPONDER AGENCY.—The term “first responder agency” means a Federal, State, local, or Tribal agency that employs or otherwise engages the services of a first responder.

(3) PEER SUPPORT COUNSELING PROGRAM.—The term “peer support counseling program” means a program provided by a first responder agency that provides counseling services from a peer support specialist to a first responder of the first responder agency.

(4) PEER SUPPORT PARTICIPANT.—The term “peer support participant” means a first responder who receives counseling services from a peer support specialist.

(5) PEER SUPPORT SPECIALIST.—The term “peer support specialist” means a first responder who—

(A) has received training in—

(i) peer support counseling; and

(ii) providing emotional and moral support to first responders who have been involved in or exposed to an emotionally traumatic experience in the course of the duties of those first responders; and

(B) is designated by a first responder agency to provide the services described in subparagraph (A).

(b) REPORT ON BEST PRACTICES.—Not later than 2 years after the date of enactment of this Act, the Attorney General, in coordination with the Secretary of Health and Human Services, shall develop a report on best practices and professional standards for peer support counseling programs for first responder agencies that includes—

(1) advice on—

(A) establishing and operating peer support counseling programs; and

(B) training and certifying peer support specialists;

(2) a code of ethics for peer support specialists;

(3) recommendations for continuing education for peer support specialists;

(4) advice on disclosing to first responders any confidentiality rights of peer support participants; and

(5) information on—

(A) the different types of peer support counseling programs in use by first responder agencies;

(B) any differences in peer support counseling programs offered across categories of first responders; and

(C) the important role senior first responders play in supporting access to mental health resources.

(c) IMPLEMENTATION.—The Attorney General shall support and encourage the implementation of peer support counseling programs in first responder agencies by—

(1) making the report developed under subsection (b) publicly available on the website of the Department of Justice; and

(2) providing a list of peer support specialist training programs on the website of the Department of Justice.

### SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that Federal, State, local, and Tribal police officers, sheriffs, and other law enforcement officers across the United States who serve with valor, dignity, and integrity deserve the gratitude and respect of Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

Texas (Ms. JACKSON LEE) and the gentleman from Oregon (Mr. BENTZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

#### GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask my colleagues to join me in supporting S. 1502, the COPS Counseling Act, a bill that will encourage the adoption of law enforcement peer counseling programs across the country and protect the privacy of Federal officers as they seek mental health support.

It is important to all of us that we promote the mental health and well-being of our law enforcement officers, not only in order to help individual officers but also because it helps bolster the safety of our communities and the people our officers take a solemn oath to protect.

Law enforcement officers play a special role in our communities. They are specifically called upon to protect and serve. Often they see, encounter, and respond to horrendous situations that are both dangerous and stressful and often life-threatening.

I don't know how many times, Mr. Speaker, we have heard on the news where officers have said: I have never seen this in my lifetime. I have never seen this horrific scene. I have never seen a car crash. I have never seen the violence.

With the pandemic of COVID-19, we have seen officers coming to scenes that they expressed that they have never seen. That has an impact even though they must continue to rise the next day and serve.

They are indeed first responders, on the scene when unthinkable and tragic events take place, whether they be mass shootings, terrible incidents of domestic or sexual violence, and other horrific instances of victimization. Even after the incidents are over and the threats addressed, these situations can long remain with officers. As they seek to protect us, we must also seek to protect them when they are in need.

We have a hearing today on issues dealing with gun safety. That is not this bill. But what I will say is that the officers in times of crisis are always the first ones to come to school shootings, violent scenes where they see children who are wounded or tragically are dead. Imagine an officer having to pick him or herself up and carry on after you have seen, yes, little children—high school, middle school, elementary school—who have been fallen

because of school shootings. That is a particularly unique circumstance. But there are many, many others.

That is why I support this bill which would help officers who seek counseling. The bill provides confidentiality to Federal law enforcement officers by restricting individuals who participate in a peer support counseling session from disclosing communications arising out of peer support counseling session.

In doing so, however, the bill defines clear and necessary exceptions to confidentiality in circumstances including explicit threats of suicide; any admission of criminal conduct; any explicit threat of imminent and serious physical harm or death to an individual; any information relating to the abuse or neglect of a child, older person, or vulnerable person; or any information that is required by law to be reported. That had to be clarified.

Additionally, this bill encourages implementation of peer counseling programs within the entire first responder community by requiring the Department of Justice to make best practices publicly available on its website. Information I have found has been the key in helping to restore the stability of these individuals who are needing the kind of counseling that we offer.

The Department of Justice is also required to provide a list of training programs for public safety officers to become peer support mentors. Always we have been told that to have a like fellow traveler, a like experienced person, a like person in your career or profession, Mr. Speaker, is sometimes the best medicine, the best cure, and the best direction toward treatment.

These are important steps that will help our officers and the communities they serve.

As we take action on this Senate-passed bill, I want to recognize our colleague from Maryland, Representative DAVID TRONE, for his work in introducing the House companion legislation. I thank the chairman of our committee, Mr. NADLER, for being focused on this legislation, and I am delighted that my subcommittee is also very interested in this kind of work.

Mr. Speaker, this is an important bill, I am proud to support it, and I ask my colleagues to do the same.

Today, I ask that my colleagues join me in supporting S. 1502, the "COPS Counseling Act," a bill that will encourage the adoption of law enforcement peer counseling programs across the country and protect the privacy of federal officers as they seek mental health support.

It is important to all of us that we promote the mental health and well-being of our law enforcement officers, not only in order to help individual officers but also because it helps bolster the safety of our communities and the people our officers take a solemn oath to protect.

Law enforcement officers play a special role in our communities, specifically called upon to protect and serve.

Often, they see, encounter, and respond to horrendous situations that are both dangerous and stressful, and often life-threatening.

They are indeed first responders, on the scene when unthinkable and tragic events take place, whether they be mass shootings, terrible incidents of domestic or sexual violence, and other horrific instances of victimization.

Even after the incidents are over and the threats addressed, these situations can long remain with officers. As they seek to protect us, we must also seek to help them when they are in need.

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These are important steps that will help our officers and the communities they serve.

As we take action on this Senate-passed bill, I want to recognize our colleague from Maryland, Representative DAVID TRONE, for his work in introducing the House companion legislation.

This is an important bill. I am proud to support it and ask that my colleagues do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. BENTZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1502, the COPS Counseling Act of 2021.

With recent attacks on law enforcement agencies from the left, including calls to defund the police, officers around the country have suffered from persistent and increasing physical and mental stress.

Police departments are experiencing dropping retention rates and officers are left with fewer colleagues to support them while also facing more crime. As a result the need for new and better performing peer support groups with State and local law enforcement agencies has risen.

This bill would help alleviate some of that strain from dealing with the ever-increasing amount of violent crime over the last year by supporting and encouraging the use of peer support groups. Some people feel like there is a stigma related to addressing mental health needs, making mental wellness difficult to address.

Peer support programs can help address this challenge in the law enforcement community. Officers who are in

need of help may be most comfortable reaching out to their fellow officers especially if their confidentiality is protected. This bill requires the Department of Justice, in consultation with the Department of Health and Human Services, to develop a report of best practices for peer support programs. These best practices required under the COPS Counseling Act will help State and local law enforcement agencies establish new peer counseling programs and enhance existing ones.

Mr. Speaker, I reserve the balance of my time.

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Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I want to again emphasize the massive number of law enforcement officers across the Nation. There are, first of all, 18,000 police departments of varying levels, meaning that we think of police, constables, or sheriffs, all of them law enforcement officers. And every day, as we speak, they are out on the front lines and, again, seeing enormous tragedy.

I really want to emphasize what it means to come upon a scene dealing with an injury to a child. Gun violence, car crashes, fires, police go to those scenes as well. For too long, we have not stopped for a moment to provide these resources and to provide these services.

I hope that, as we pass this legislation, this will be the catalyst for local entities to build on their mental health relief and that they will also focus on peer-directed mental health relief.

We can imagine, in the course of all the scenes that we have seen in this body, on this floor, in this year, starting with January 6, where police officers were involved, that there is no doubt that this legislation is crucial. But it works across the Nation, and it should be a tool for ensuring the strength and the stability of our officers who are out there, men and women, family members, every single day.

Mr. Speaker, I reserve the balance of my time.

Mr. BENTZ. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Speaker, I thank the gentleman for yielding, and I thank the gentlewoman from Texas for bringing this bill forward. It is very much needed.

I rise, Mr. Speaker, to support the COPS Counseling Act, which is now one step away from reaching the President's desk, I hope.

I spent almost 40 years in law enforcement, including 12 as the sheriff of Duval County, Florida. So I can tell you, I have seen, firsthand, the challenges that some officers face in dealing with not just acute stress for many years but the chronic stress over every day that they go to work.

Mr. Speaker, it is no secret that law enforcement is a dangerous profession.

But these officers face potential life-threatening situations every day they go to work, and that is the chronic stress that really has a significant mental health impact upon these officers. Every day, they put their lives in that breach in defense of our communities.

In recent years, we have seen a rise in ambush killings of officers and just overall assaults on officers, attacking them simply for the uniform that they wear. In fact, by just the middle of this year, we experienced as many shootings and killings of police officers as we did for the entire year of 2020.

We also witness now the demoralization, the delegitimization, and the defunding of police currently taking place around the U.S.

We have also watched law enforcement work through a deadly pandemic, losing so many officers to COVID-19 over these last 2 years.

To make things more difficult, many officers struggle to ask for help, even when they need it. Some officers feel traditional forms of counseling cannot truly understand what they are going through. They also might be concerned that seeking counseling could negatively impact on their careers. It could be seen as a weakness.

That is why the COPS Counseling Act is so very important.

Again, I thank the gentlewoman from Texas. This provides the opportunity for law enforcement officers to receive confidential and peer-led support services.

Mr. Speaker, this legislation is going to save lives. It is going to save officers' lives, and I urge all of my colleagues to vote "yes" on the COPS Counseling Act to get this bill signed into law.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I am very glad that we are able to come together, recognizing that our law enforcement officers face dangers every day. When I look to the support for that community, I really look to the family of citizens, the family of the community, no matter where you are, and I think that should be the statement and the litmus test.

When you speak to community persons who generally go about their daily business, and local governments, you can be assured that there is an embodiment of support.

There is the sense of horror when we see circumstances that tragically hit this very Congress, this very House, on January 6, when that was not how brave law enforcement officers were treated. But we are well aware of the everyday work that is done.

Before I left to come to Washington, I had the tragic duty of going to the funeral of a fallen. What an amazing individual that Deputy Atkins was, and the outpouring of love and affection by the community reflected that.

To show the humanity of officers—they have moms and dads and wives

and children—they read a letter from his mother. I just simply want to put this letter in from his mother.

"When I last saw you, before you said good-bye, I said the prayer I taught you, 'As I lay me down to sleep.' Nadia heard me and told me you always said that prayer." Nadia was his wife.

"And that made me really feel good, Kareem. I love you so much and I will never stop loving you," the letter said.

A mother, a father, a fallen son. These are the true human aspects of service.

So this help to officers who have seen, or been engaged, or seen fellow officers lose their lives, or been wounded, or, again, come upon that scene that they will be interviewed, saying that they have never seen it before, never seen something so devastating like it before, this is an important step forward, as was the real justice bill for veterans, some of whom turn out to be police officers.

I think we are moving so much in the right direction to be effectively concerned about the whole person, and that is what this legislation, I believe, will move forward on.

Mr. Speaker, I include in the RECORD an article from the Houston Chronicle.

[From the Houston Chronicle, Oct. 25, 2021]

DEPUTIES LINE UP BY THE DOZEN TO HONOR SLAIN PCT. 4 DEPUTY KAREEM ATKINS

Hundreds gathered at a north Houston church Monday afternoon to pay their respects to Kareem Atkins, the Precinct 4 deputy constable who was fatally shot while trying to stop a robbery.

The day began with a private service for Atkins' family. Officers lined up hours before the memorial service at Champion Forest Baptist Church to take a last look at their friend, removing their hats and saying a few words over the flag-draped casket at the front of the massive church hall.

A slideshow played on screens next to the altar, with images of Atkins cuddling with his wife, Nadia Aweineh, and their young children, Adalynn, a toddler, and Aiden, a newborn. In other photos, Atkins was pictured in uniform with fellow deputies and posing for group shots while out on the town with friends, a broad smile on his face.

While some attendees silently wiped away tears after viewing Atkins' casket, others laughed and shared stories, remembering Atkins as the "loving, protective, funny, great dancing (or at least so he thought), outgoing and flashy guy" described in the funeral's program.

"It seemed to me Kareem had many, many, best friends, and, on a daily basis, I saw his co-workers routinely look to him for guidance," Precinct 4 Constable Mark Herman said at the memorial. "Despite his young age, he was someone you could count on to be calm, cool and collected. He had a unique strength about him. He was the rock we all leaned on."

"If I had 100 more Kareem Atkinses (in my department), this boss would sleep much better at night," Herman said.

Atkins' godmother and former babysitter also spoke, sharing a letter Atkins' mother, Celine Pemberton-Atkins, wrote to her son after his death. In the letter, Pemberton-Atkins reminisced about the times her son would surprise her with visits home to New York City, where he was born, and about the inside jokes they shared that would not make sense to anyone else.

His mother noted in her letter that she'd just learned he was planning to travel home and surprise her for Thanksgiving.

"When I last saw you, before you said goodbye, I said the prayer I taught you, 'As I lay me down to sleep,' Nadia heard me and told me you always said that prayer . . . and that made me feel really good, Kareem. I love you so much and I will never stop loving you," the letter said.

#### END OF WATCH

After the service, attendees filed out of the church for a color guard ceremony. The rows of friends, family and officers sat in silence amid a few isolated sobs as pallbearers wheeled Atkins' casket to the family. The color guard folded the American flag that was covering the casket and handed it to the constable, who gave it to Atkins' wife.

Police dispatchers declared the "end of watch" over the air. A three-volley salute followed. Then Atkins' coffin was placed in a hearse to be taken to Klein Memorial Park Cemetery in Tomball.

The funeral came more than a week after Atkins was shot and killed—and two other Precinct 4 deputies were wounded—while attempting to arrest a robbery suspect at 45 Norte Sports Bar, where they worked side jobs as security guards.

The shooter, who opened fire with a semi-automatic rifle, wounded Deputies Darryl Garrett and Juqaim Barthen, according to police. Garrett remained in the intensive care unit Monday, while Barthen, who attended the service, is still recovering.

On HoustonChronicle.com: 'They were the 3 amigos,' fiancée of wounded Precinct 4 deputy says after ambush in north Houston.

Police have not identified or apprehended any suspects in the shooting. A reward for information leading to the assailant's arrest and conviction was increased Wednesday to \$75,000.

#### MAKING TIME FLY ON THE SHIFT

In comments during the funeral, Harris County Judge Lina Hidalgo declared Oct. 25 "Deputy Kareem Atkins Day" in Harris County from this year forward.

"When somebody ambushed Deputy Barthen, Deputy Garrett and Deputy Atkins, that attack on our protectors, that attack on you all, was an attack on our entire community," Hidalgo said.

"They tried to tear down what makes our community great, to tear down that spirit of service, to break that trust that binds us, to bring fear, but we won't tolerate that. The way we fight back against that, and honor Deputy Atkins' life, is by living by the values he embodied," Hidalgo said.

Others attending the funeral remarked about Atkins' good humor and generous spirit.

Indrani Boodram and her co-workers came to support Atkins' father, who worked with them at a medical center in north Cypress.

She remembered how the younger Atkins helped her move about five years ago, despite never having met Boodram. "He had just moved here from New York and he knew no one. He even bought pizza when he came and told me he would stay with me until I was completely done."

Canray Warren, who worked other security jobs with Atkins at bars and clubs around the area, remembered the 30-year-old as someone who made the time fly on nights when the staff were tired and wanted to check out for the night. When it was nearing time to start closing shop, the pair would simply exchange looks and start cracking up.

"He kept us laughing and kept a smile on our face," he said. "We'd joke about telling the DJ to play boring songs so everybody could move out of the club faster," Warren said.

Warren explained he wouldn't want to take a shift if he learned that Atkins wasn't working with him. And now, looking forward, work won't be the same without him.

Ms. JACKSON LEE. Mr. Speaker, I reserve the balance of my time.

Mr. BENTZ. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER).

Mr. RESCHENTHALER. Mr. Speaker, I want to thank my good friend and colleague, Congressman BENTZ, for yielding me the time.

Mr. Speaker, I am very proud to speak in support of the COPS Counseling Act. It is a piece of bipartisan legislation that I introduced with my good friend, DAVID TRONE from Maryland. Congressman TRONE has been an incredible partner. I am really grateful for all of his hard work, and as everybody in this body knows, no one works harder than DAVID TRONE when he is pushing a bill. It is quite amazing to see and watch.

Mr. Speaker, every day, our Nation's law enforcement officers put their own lives at risk to keep us safe. That service does not come without sacrifice.

Last year, 178 current or Active-Duty law enforcement officers died by suicide. Just this year, 121 officers have already taken their own lives.

S. 1502 seeks to alleviate the stressors law enforcement experiences by establishing clear confidentiality standards for peer-to-peer counseling.

A Fraternal Order of Police survey showed that 73 percent of surveyed officers found peer-to-peer support counseling to be the most helpful mental health resource offered by police departments. Unfortunately, an officer's peer support communications can be discoverable on public record; it can be used in court proceedings; and worse, it can even impact and affect their employment.

By creating clear standards for confidentiality, the COPS Counseling Act would provide officers with peace of mind that their privacy is protected when they seek peer support services.

This legislation also encourages State and local first responder agencies to adopt peer counseling programs so more officers can take advantage of this important mental health resource.

Mr. Speaker, I urge my colleagues to support our Nation's law enforcement officers by voting for this legislation.

Mr. BENTZ. Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

As I indicated in my discussions, I think the idea of the COPS Counseling Act is a profound statement that we see the whole person in law enforcement. We don't just see the person's uniform externally, but we see the whole person.

The reading of the words of Deputy Atkins' mother was to indicate we see the family members, the children; we see the neighbors; we see the commu-

nities. In order to do that, we must then have a holistic approach to the service of these officers.

I can't help but think about officers coming upon an injury to a child in whatever form it is, and I have heard them speak of it. It is the worst investigation case to have. It is the worst scene that they have ever seen because it is a child.

The COPS Counseling Act will help our law enforcement officers and also the communities they serve. We can and must do both. When officers are in need of counseling, we should remove barriers and disincentives that are standing in the way.

Therefore, I ask my colleagues to see the whole person as they serve the community and the Nation, and join me in supporting this legislation so that the President can sign it into law.

Mr. Speaker, the COPS Counseling Act will help our law enforcement officers and also the communities they serve.

We can and must do both.

When officers are in need of counseling, we should remove barriers and disincentives standing in the way.

Therefore, I ask that my colleagues join me in supporting this legislation so that the President can sign it into law.

Mr. Speaker, I yield back the balance of my time.

Mr. MEUSER. Mr. Speaker, I rise in support of the COPS Counseling Act and thank my friend from Maryland, Mr. TRONE for leading this important bill.

Mr. Speaker, Every day police officers protect our communities with the uncommon character that's common in police departments. The men and women in blue proudly protect and serve, braving challenging circumstances and running toward danger to keep us safe. Both they and their families feel this stress. I know this firsthand as my father is a retire NYPD Detective.

As well, in the course of duty, police officers face dangerous and sometimes traumatic situations. Oftentimes, only a police officer can truly understand the stress their fellow officers are dealing with.

Peer counseling has proven to be an effective method for officers to cope with this stress, in fact 73 percent of officers say it's the most helpful mental health resource available to them. The COPS Counseling Act ensures more officers can access this important resource and protects officers' privacy, eliminating the stigma of seeking help. Police officers do a dangerous and necessary job to protect our communities. The COPS Counseling Act helps police officers help keep each other safe so they can keep us all safe. I urge a yes vote.

Miss GONZÁLEZ-COLÓN. Mr. Speaker, I rise in strong support of S. 1502, the COPS Counseling Act of 2021. I was also proud to cosponsor the House companion to this bill—H.R. 3070—introduced by Representatives DAVID TRONE of Maryland and GUY RESCHENTHALER of Pennsylvania.

This bipartisan and bicameral legislation would encourage the adoption of law enforcement peer counseling programs across the nation by requiring the U.S. Department of Justice to issue and make publicly available a report on best practices for such programs. To

further support their implementation, the bill would also direct the Department to provide a list of training programs for individuals to become peer support mentors.

Our law enforcement officers often face challenging and at times traumatic experiences while performing their duties and keeping our communities safe. It's critical we ensure they have the necessary level of support to address these situations, and peer-to-peer counseling can serve as an effective mental health outlet to share their personal experiences; access and identify resources; and receive help and guidance within a trusted network of colleagues.

To ensure peer counseling programs are effective, it's also important we protect the privacy of those officers seeking mental health services. That's why I'm pleased the COPS Counseling Act would require that the information disclosed during peer support counseling sessions by Federal law enforcement officers is kept confidential, except under certain circumstances such as threats of physical harm and admission of criminal activity. This guarantee of privacy will go a long way in building confidence and encouraging more Federal law enforcement officers to take advantage of the opportunities provided through these programs.

Every day, our brave men and women in law enforcement put their lives on the line to protect our communities. As Members of Congress, we must redouble our efforts to support them, including through mental health and counseling services. That's why I support the COPS Counseling Act and urge my colleagues to do the same.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 1502.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Ms. JACKSON LEE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

## PROTECTING AMERICA'S FIRST RESPONDERS ACT OF 2021

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1511) to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1511

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting America's First Responders Act of 2021".

### SEC. 2. PAYMENT OF DEATH AND DISABILITY BENEFITS UNDER PUBLIC SAFETY OFFICERS' DEATH BENEFITS PROGRAM.

Section 1201 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking "the Bureau shall pay"; and

(B) by inserting ", and calculated in accordance with subsection (i), shall be payable by the Bureau" after "subsection (h)";

(2) in subsection (b)—

(A) by striking "the Bureau shall pay the same benefit" and inserting "a benefit shall be payable";

(B) by striking "that is payable under subsection (a) with respect to the date on which the catastrophic injury occurred," and inserting "in the same amount that would be payable, as of the date such injury was sustained (including";

(C) by inserting ", and calculated in accordance with subsection (i), if such determination were a determination under subsection (a)" before "Provided, That"; and

(D) by striking "necessary;" and all that follows and inserting "necessary.";

(3) in subsection (c), by striking "\$3,000" and inserting "\$6,000, adjusted in accordance with subsection (h)";

(4) in subsection (h), by striking "subsection (a)" and inserting "subsections (a) and (b) and the level of the interim benefit payable immediately before such October 1 under subsection (c)";

(5) by striking subsection (i) and inserting the following:

"(i) The amount payable under subsections (a) and (b), with respect to the death or permanent and total disability of a public safety officer, shall be the greater of—

"(1) the amount payable under the relevant subsection as of the date of death or of the catastrophic injury of the public safety officer; or

"(2) in any case in which the claim filed thereunder has been pending for more than 365 days at the time of final determination by the Bureau, the amount that would be payable under the relevant subsection if the death or the catastrophic injury of the public safety officer had occurred on the date on which the Bureau makes such final determination.";

(6) in subsection (m), by inserting ", (b)," after "subsection (a)".

### SEC. 3. DEFINITIONS WITH RESPECT TO PUBLIC SAFETY OFFICERS' DEATH BENEFITS PROGRAM.

Section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9) as paragraphs (4), (5), (6), (7), (8), (9), (10), (13), and (14), respectively;

(2) by striking paragraph (4), as so redesignated, and inserting:

"(4) 'catastrophic injury' means an injury, the direct and proximate result of which is to permanently render an individual functionally incapable (including through a directly and proximately resulting neurocognitive disorder), based on the state of medicine on the date on which the claim is determined by the Bureau, of performing work, including sedentary work: Provided, That, if it appears that a claimant may be functionally capable of performing work—

"(A) the Bureau shall disregard work where any compensation provided is de minimis, nominal, honorary, or mere reimbursement of incidental expenses, such as—

"(i) work that involves ordinary or simple tasks, that because of the claimed disability,

the claimant cannot perform without significantly more supervision, accommodation, or assistance than is typically provided to an individual without the claimed disability doing similar work;

"(ii) work that involves minimal duties that make few or no demands on the claimant and are of little or no economic value to the employer; or

"(iii) work that is performed primarily for therapeutic purposes and aids the claimant in the physical or mental recovery from the claimed disability; and

"(B) the claimant shall be presumed, absent clear and convincing medical evidence to the contrary as determined by the Bureau, to be functionally incapable of performing such work if the direct and proximate result of the injury renders the claimant—

"(i) blind;

"(ii) paraplegic; or

"(iii) quadriplegic;"

(3) in paragraph (6), as so redesignated, by striking "at the time of the public safety officer's fatal or catastrophic injury" and inserting "at the time of the public safety officer's death or fatal injury (in connection with any claim predicated upon such death or injury) or the date of the public safety officer's catastrophic injury or of the final determination by the Bureau of any claim predicated upon such catastrophic injury";

(4) in paragraph (7), as so redesignated, by inserting ", including an individual who, as such a member, engages in scene security or traffic management as the primary or only duty of the individual during emergency response" before the semicolon;

(5) in paragraph (9), as so redesignated by striking "delinquency)," and inserting "delinquency);";

(6) in paragraph (13), as so redesignated, by inserting ", and includes (as may be prescribed by regulation hereunder) a legally organized volunteer fire department that is a nonprofit entity and provides services without regard to any particular relationship (such as a subscription) a member of the public may have with such a department" before the semicolon;

(7) in paragraph (14), as so redesignated,—

(A) by striking subparagraph (A) and inserting:

"(A) an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, as a firefighter, or as a chaplain: Provided, That (notwithstanding section 1205(b)(2) or (3)) the Bureau shall, absent clear and convincing evidence to the contrary as determined by the Bureau, deem the actions outside of jurisdiction taken by any such law enforcement officer or firefighter, to have been taken while serving such public agency in such capacity, in any case in which the principal legal officer of such public agency, and the head of such agency, together, certify that such actions—

"(i) were not unreasonable;

"(ii) would have been within the authority and line of duty of such law enforcement officer or such firefighter to take, had they been taken in a jurisdiction where such law enforcement officer or firefighter was authorized to act, in the ordinary course, in an official capacity; and

"(iii) would have resulted in the payment of full line-of-duty death or disability benefits (as applicable), if any such benefits typically were payable by (or with respect to or on behalf of) such public agency, as of the date the actions were taken;"

(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (C), (D), (E), and (F), respectively;

(C) by inserting after subparagraph (A), the following new subparagraph: